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EXAMINER
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PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2625

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/776,956	<b>Applicant(s)</b> POLIS ET AL.	
	<b>Examiner</b> THIERRY L. PHAM	<b>Art Unit</b> 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 and 22-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 22-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

Art Unit: 2625

### **DETAILED ACTION**

- This action is responsive to the following communication: an amendment filed 10/4/2010.
- Claims 1-20, 22-61 are currently pending, wherein claims 55-61 are newly added; claim 21 has been canceled.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-20 and 46 rejected under 35 U.S.C. 103 (a) as being unpatentable over Laurush (U.S. 5413383) and in view of Bain ET al (US 5315508).

Regarding claim 18, Laurush teaches a process including:

- printing a sheet (multiple parts on a single sheet, fig. 1) comprising parts that include at least two of a packing list or product code (fig. 1), a customizable component (fig. 1, col. 2, lines 42-50), and a waybill (middle panel, fig. 1);
- separating the parts (col. 2, lines 19-20) prior to shipment of (side panels or invoice are separated from the shipping ticket for internal record, col. 5, lines 55-59) a package (col. 3, lines 56-58) with the shipping sheet part, located outside the package during the shipment (shipping label that includes mailing address is located outside the shipping box, col. 5, lines 29-46).

Laurush does not specific teach and/or suggest that no other parts of shipping label is located outside the package during shipment and fails to teach and/or suggest packing at a distribution center, in response to information on the sheet.

Bain, in the same field of endeavor for printing shipping labels, teaches a method of packing and shipping a package includes having no other parts (shipping label as shown in fig. 2 is located outside of the package, any other information such as invoice, products are locate inside of the shipping package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines

Art Unit: 2625

34, and col. 20, lines 34-67) of shipping label is located outside the package during shipment and wherein the package is packing at a distribution center (distribution center or vendor having a computer system that prints shipping label is shown in fig. 1, col. 4, lines 66 to col. 5, lines 29), in response to information (purchase order receiving form remote entities, col. 5, lines 1-30) on the sheet (packing a purchase order based upon packing list/shipping label, cols. 7-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify printing and shipping process of Laurush to include a process wherein no other parts of shipping label is located outside the package during shipment and fails to teach and/or suggest packing at a distribution center, in response to information on the sheet as taught by Bain because of a following reason: (1) only attach the shipping label to the package and not other information (e.g. account information, confidential information, product description, and etc). Doing so, it prevents unauthorized personnel from viewing the description of the product content and/or user's account information, and etc. (2) ensures the items specified on the purchase order are sent in the correct quantities to the entities (consumers) in response to the purchase order received via electronic communication system (col. 1, lines 5-16, and col. 5, lines 1-30 of Bain).

Regarding claim 19, Laurush further discloses the process of claim 18, wherein the shipment does not include shipment of the packaging list part with the package (e.g. warehouse packing is not require in the package to be shipped, col. 4, lines 50-60, note: shipping label is taught by Laurush is implemented via using coated adhesive and separated into multiple plies, therefore, any unnecessary plies can be eliminated from shipping to the customers, for example, company's inventory tracking and/or invoice and etc).

Regarding claim 20, Laurush further discloses the process of claim 19, wherein the shipment includes shipment of the customizable component part within the package (e.g. warehouse packing is not require in the package to be shipped, col. 4, lines 50-60, note: shipping label is taught by Laurush is implemented via using coated adhesive and separated into multiple plies, therefore, any unnecessary plies can be eliminated from shipping to the customers, for

Art Unit: 2625

example, company's inventory tracking and/or invoice and etc, in other words, senders can choose what documents to be included in the package).

Regarding claim 46 recites limitations that are similar and in the same scope of invention as to those in claims 18 above; therefore, claim 46 is rejected for the same rejection rationale/basis as described in claim 18.

Claims 1-17, 22-45, 47-61 rejected under 35 U.S.C. 103(a) as being unpatentable over Laurush (U.S. 5413383) in view of Bain et al (US 5315508), and further in view of Kara (US 6208980).

Regarding claim 1, Laurush discloses a process including:

- providing a singular sheet (fig. 1) comprising a courier waybill area (middle panel, fig. 1) and at least one of a packing list area (upper panel, fig. 1) or product code and a customizable component area, wherein
- if one of the at least one area includes the packing list area or product code, printing a packing list (middle panel, fig. 1) on the packing list area, and
- if one of the at least one area includes the customizable component area (customizable information can be either text or graphic including company Logo, fig. 1), printing a customizable component on the customizable component area; and
- printing (sample of printed shipping label, fig. 1) on the waybill area, a courier waybill and a ship date (ship date, fig. 1).

However, Laurush does not teach and/or suggest a customer-specified date delivery date and receiving electrical signals from an ordering center computer system representing a waybill (shipping label) and printing at a distribution center a waybill (shipping label).

Bain, in the same field of endeavor for shipping products, a customer-specified date delivery date (col. 7, lines 28-55) and receiving (vendor/distribution center receiving purchase order from different entities/consumers via electrical network, fig. 1-3, col. 1, lines 5-17, col. 2, lines 25-50, col. 4, lines 65 to col. 6, lines 67) electrical signals from an ordering center computer system representing a waybill (shipping label) and printing at a distribution center a waybill (printing a shipping label as shown in fig. 2 via printer 40 at distribution/vendor site).

Art Unit: 2625

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify shipping label of Laurush to include customer-specified date and other information on a singular sheet as taught by Bain so it allows the carriers and customers to easily identify the customer-requested delivery dates to ensure the product (e.g. package/mail) is arrived on time and receiving electrical signals from an ordering center computer system representing a waybill (shipping label) and printing at a distribution center a waybill (shipping label to ensure that the items specified on the purchase order are sent in the correct quantities to the entities (consignee) in response to the received purchase order (col. 5, lines 1-20 of Bain). Other advantages are taught in column 3, lines 1-36 via using Bain's system.

The combination of Laurush and Bain fail to teach and/or suggest wherein printing on a customizable component a personal message on a shipping label.

Kara, in the same field of endeavor printing on a shipping label (fig. 13), teaches a well-known example of printing on a customizable component a personal message from a customer to a recipient (e.g. Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify shipping label of Laurush to a personal message from a customer to a recipient on a shipping label as taught by Kara so that customer does not need a separate card/letter for personal message, therefore, it saves customer's cost of shipping additional card/letter.

Therefore, it would have been obvious to combine Laurush and Bain with Kara to obtain the invention as specified in claim 1.

Regarding claim 2, Laurush further teaches the process of claim 1, wherein the sheet includes the customizable component area (middle panel, fig. 1).

Regarding claim 3, Laurush further teaches the process of claim 1, wherein the sheet includes the packing list area and the customizable component area (fig. 1).

Art Unit: 2625

Regarding claims 4-5, the combination of Laurush and Bain fail to teach and/or suggest wherein printing on a customizable component a personal message, preexisting art work, type of flowers from a customer to a recipient on a shipping label.

Kara, in the same field of endeavor printing on a shipping label (fig. 13), teaches a well-known example of printing on a customizable component a personal message from a customer to a recipient (e.g. Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify shipping label of Laurush to a personal message from a customer to a recipient on a shipping label as taught by Kara so that customer does not need a separate card/letter for personal message, therefore, it saves customer's cost of shipping additional card/letter.

Therefore, it would have been obvious to combine Laurush with Bain with Kara to obtain the invention as specified in claims 4-5.

Regarding claims 6-8, the combination of Laurush, Bain, and Lara further teach the process of claim 3, wherein electrical signals comprises shipping signals received from a courier shipping computer (USP, fig. 2 of Bain, col. 7, lines 30-55) system and communicated to the ordering center system (system as shown in fig. 1 of Bain). Furthermore, Kara teaches a communication network (e.g. Internet network, fig. 1) and wherein Bain teaches a electronic communication network for receiving purchase order and packing information from remote users/clients, therefore, it would have been obvious to modify communication network as taught by Kara and Bain to allow communication between vendor and courier (e.g. UPS) for specific shipping instructions.

Regarding claim 9, Kara further teaches the process of claim 1, further including printing a customer initiated ornamental design on the waybill area (since customizable image such as Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50 of Lara can be printed on a shipping label, therefore, it would have been also obvious to print an ornamental design as well).

Art Unit: 2625

Regarding claim 10, Laurush further teaches the process of claim 1, wherein the sheet includes the customizable component area and further including: separating (demarking, fig. 1) the printed areas into respective pieces; locating both the customizable component piece and the goods within a package; and shipping (col. 3, lines 58-60) the package, with the customizable component within the package, in accordance with waybill; providing (col. 3, lines 58-60) the package, with the customizable component within the package, in accordance with the waybill located outside the package. Bain also teaches a method/process of packing products (cols. 7-8 and col. 20, lines 33-67). It is obvious to attach on a shipping label on the outside of the package (e.g. box), wherein the rest of confidential information such as invoice, user's account, and etc. is to be placed inside a box to protect user's information from being viewed by unauthorized personnel.

Regarding claims 11-12, Bain further teaches the process of claim 6, further including: separating the printed areas into respective pieces prior to shipment of a package and the waybill piece, such that the waybill piece is outside the package shipping label as shown in fig. 2 is located outside of the package, any other information such as invoice, products are located inside of the shipping package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines 34, and col. 20, lines 34-67), but no other of said printed pieces is outside of the package during the shipment. It is obvious and well known in the art to only attach the shipping label to the package and not other information (e.g. account information, confidential information, product description, and etc). Doing so, it prevents unauthorized personnel from viewing the description of the product content and/or user's account information, and etc.

Regarding claims 13-14, the combination of Laurush/Bain/Lara further teach the process, wherein the electrical signals comprises shipping signals received from a courier shipping computer system (USP, fig. 2 of Bain, col. 7, lines 30-55) and communicated to the ordering center system (system as shown in fig. 1 of Bain). Furthermore, Kara teaches a communication network (e.g. Internet network, fig. 1) and wherein Bain teaches a electronic communication network for receiving purchase order and packing information from remote users/clients, therefore, it would have been obvious to modify communication network as taught by Kara and



Art Unit: 2625

Bain to allow communication between vendor and courier (e.g. UPS) for specific shipping instructions.

Regarding claim 15, Lara further teaches the process of claim 1, wherein the sheet includes the customizable component, and the customizable component comprises a customer initiated ornamental graphic (since customizable image such as Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50 of Lara can be printed on a shipping label, therefore, it would have been also obvious to print an ornamental design as well)..

Regarding claims 16-17, Lara further teaches the process of claim 2, wherein the customizable component area comprises preexisting art work (figs. 13 & 16, col. 20, lines 22-50).

Regarding claim 22, Laurush discloses a process comprising: providing a singular sheet (fig. 1) means for carrying out a shipment, the means comprising a waybill component (middle panel, fig. 1), a packing list component (upper panel, fig. 1), and a customizable component (customizable information can be either text or graphic including company Logo, fig. 1); printing waybill (sample of printed shipping label, fig. 1) information on the waybill component and in addition to the waybill information, printing packing list information (middle panel, fig. 1) on the packing list component, adapting the sheet (col. 2, lines 19-20) for separating the components prior (side panels or invoice are separated from the shipping ticket for internal record, col. 5, lines 55-59) to shipment of a package of goods specified by the packing list information.

Laurush fails to teach and/or suggest printing two dates on the waybill component, one of said dates being a delivery by date and other of said dates being a ship date, and wherein packing a package at a distribution center responsive to the printed sheet.

Bain, in the same field of endeavor for printing shipping label, teaches printing two dates on the waybill component, one of said dates being a delivery by date and other of said dates being a ship date (ship date and delivery date, col. 7, lines 28-67), and wherein packing a package goods at a distribution center (distribution center as shown in fig. 1 for printing shipping

Art Unit: 2625

label and packing a package for shipping, col. 5, lines 1-30 and cols. 7-8) responsive to the printed sheet.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a ship date and delivery date on a shipping label, and to print and ship product goods at a distribution center as taught by Bain so it allows the carriers and customers to easily identify the customer-requested delivery dates to ensure the product (e.g. package/mail) is arrived on time and receiving electrical signals from an ordering center computer system representing a waybill (shipping label) and printing at a distribution center a waybill (shipping label to ensure that the items specified on the purchase order are sent in the correct quantities to the entities (consignee) in response to the received purchase order (col. 5, lines 1-20 of Bain). Other advantages are taught in column 3, lines 1-36 via using Bain's system.

The combination of Larush and Bain fail to teach and/or suggest printing on a customizable component a personal message on a shipping label.

Kara, in the same field of endeavor printing on a shipping label (fig. 13), teaches a well-known example of printing on a customizable component a personal message from a customer to a recipient (e.g. Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify shipping label of Laurush to a personal message from a customer to a recipient on a shipping label as taught by Kara so that customer does not need a separate card/letter for personal message, therefore, it saves customer's cost of shipping additional card/letter.

Therefore, it would have been obvious to combine Laurush with Bain with Kara to obtain the invention as specified in claim 22.

Regarding claim 23, Bain further teaches the processing of claim 1, further comprising packing at the distribution center responsive to the printed sheet (figs. 2-3, cols. 7-8 and col. 20, lines 33-67).

Regarding claim 24, Bain further teaches a sheet (figs. 2-3) produced by the process of any one of claims 18-20, 22-23.

Art Unit: 2625

Regarding claim 25, Laurush discloses a process including:

forming a combination of at least two portions (multiple parts on a single sheet, fig. 1) from the sheet with a package (col. 3, lines 56-58), the portions including a packing list (fig. 1), a customizable component (fig. 1, col. 2, lines 42-50), and a waybill (fig. 1);

separating (side panels or invoice are separated from the shipping ticket for internal record, col. 5, lines 55-59) said at least two portions prior to shipment.

Laurush fails to teach and/or suggest printing both a ship date and a customer-specified date on a sheet at a distribution center and packing at the distribution center responsive to information on the sheet.

Bain, in the same field of endeavor for printing shipping label, teaches printing two dates on the waybill component, one of said dates being a delivery by date and other of said dates being a ship date (ship date and delivery date, col. 7, lines 28-67), and wherein packing a package goods at a distribution center (distribution center as shown in fig. 1 for printing shipping label and packing a package for shipping, col. 5, lines 1-30 and cols. 7-8) responsive to the printed sheet.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a ship date and delivery date on a shipping label, and to print and ship product goods at a distribution center as taught by Bain so it allows the carriers and customers to easily identify the customer-requested delivery dates to ensure the product (e.g. package/mail) is arrived on time and receiving electrical signals from an ordering center computer system representing a waybill (shipping label) and printing at a distribution center a waybill (shipping label to ensure that the items specified on the purchase order are sent in the correct quantities to the entities (consignee) in response to the received purchase order (col. 5, lines 1-20 of Bain). Other advantages are taught in column 3, lines 1-36 via using Bain's system.

Combination of Laurush and Bain fail to teach and/or suggest customer-specified date being and customer-specified personal message specified at a website by a user of a consumer ordering system.

Kara, in the same field of endeavor printing on a shipping label (fig. 13), teaches a well-known example of printing on a customizable component a personal message from a customer to

Art Unit: 2625

a recipient (e.g. Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50) via website (fig. 13, col. 12, lines 23-45).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify shipping label of Laurush to a personal message and date from a customer to a recipient on a shipping label via a website as taught by Kara so that customer does not need a separate card/letter for personal message, therefore, it saves customer's cost of shipping additional card/letter.

Therefore, it would have been obvious to combine Laurush with Bain with Kara to obtain the invention as specified in claim 25.

Regarding claim 26, Laurush/Bain further teaches the process of claim 25, wherein the at least two portions includes the shipping sheet portion and the customizable component portion, and the shipment includes shipment of the customizable component within a box and the shipping sheet outside the box. (e.g. warehouse packing is not require in the package to be shipped, col. 4, lines 50-60, note: shipping label is taught by Laurush is implemented via using coated adhesive and separated into multiple plies, therefore, any unnecessary plies can be eliminated from shipping to the customers, for example, company's inventory tracking and/or invoice and etc, in other words, senders can choose what documents to be included in the package). Shipping label (Bain) as shown in fig. 2 is located outside of the package, any other information such as invoice, products are locate inside of the shipping package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines 34, and col. 20, lines 34-67. It is obvious and well known in the art to only attach the shipping label to the package and not other information (e.g. account information, confidential information, product description, and etc). Doing so, it prevents unauthorized personnel from viewing the description of the product content and/or user's account information, and etc.

Regarding claim 27, Bain further teaches a combination produced (figs. 2-3) by the process of any one of claims 25-26.

Art Unit: 2625

Regarding claim 28, Kara further teaches the process of claim 22, wherein the sheet comprises the customizable component and the waybill component, and further including printing a customer initiated ornament design (since customizable image such as Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50 of Kara can be printed on a shipping label, therefore, it would have been also obvious to print an ornamental design as well) on the waybill component.

Regarding 29, Kara further teaches the process of any one of claims 1-16, 18-20, 22-23, 25-26, 28, wherein the printing is facilitated by a TCP/IP communication (fig. 1a), and wherein the packing list is printed so as to specify a type of flower (fig. 12A). Bain specifically teaches a method of packing and shipping products according to purchase order transmitted from consumers. However, Bain does not specifically indicate what types of products are being ordered and/or shipped. Packing and shipping products such as flowers are well known in the art, therefore, it would have been obvious to try to use the system and methods as taught by Bain to apply to consumer goods including flowers/chocolate, and et.

Regarding claims 30-34 recites limitations that are similar and in the same scope of invention as to those in claims 22-24, 28 above; therefore, claims 30-34 are rejected for the same rejection rationale/basis as described in claims 22-24, and 28 above.

Regarding claims 35-39, Bain/Kara further teaches the apparatus, wherein comprising an ordering center system programmed to receive shipping signals from a courier shipping computer system (USP, fig. 2 of Bain, col. 7, lines 30-55 of Bain) and send the shipping signals and ordering signals to the output device at a distribution center (fig. 1) so as to facilitate said printing (via printer as shown in fig. 1). Furthermore, Kara teaches a communication network (e.g. Internet network, fig. 1) and wherein Bain teaches a electronic communication network for receiving purchase order and packing information from remote users/clients, therefore, it would have been obvious to modify communication network as taught by Kara and Bain to allow communication between vendor and courier (e.g. UPS) for specific shipping instructions.

Art Unit: 2625

Regarding claims 40-42, and 44, Lara further teaches the apparatus, wherein the output comprises customer initiated ornamental graphic and/or preexisting art work (since customizable image such as Happy Birthday, flower art work as shown in fig. 13 & 16, col. 20, lines 22-50 of Lara can be printed on a shipping label, therefore, it would have been also obvious to print an ornamental design as well).

Regarding claim 43, Bain further teaches the apparatus of any one of claims 30-42, further including a package having an outside (shipping label as shown in fig. 2 is located outside of the package, any other information such as invoice, products are located inside of the shipping package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines 34, and col. 20, lines 34-67) supporting the waybill piece after the waybill piece is separated from the other said printed areas but prior to shipment, such that no other of said printed pieces is supported by the outside of the package during the shipment. It is obvious and well known in the art to only attach the shipping label to the package and not other information (e.g. account information, confidential information, product description, and etc). Doing so, it prevents unauthorized personnel from viewing the description of the product content and/or user's account information, and etc.

Regarding claims 45, 47-48, and 54, recites limitations/feature that are similar and in the same scope of invention as to those in claims 1 and/or 30 above; therefore, claims 45, 47-48, and 54 are rejected for the same rejection rationale/basis as described in claims 1 and/or 30 above.

Regarding claim 49, Bain further teaches the process of claim 1, wherein the sheet includes the waybill area; and further comprising: packing at the distribution center (vendor/distribution center receiving purchase order from different entities/consumers via electrical network, fig. 1-3, col. 1, lines 5-17, col. 2, lines 25-50, col. 4, lines 65 to col. 6, lines 67), in response to information on the sheet packing a purchase order based upon packing list/shipping label, cols. 7-8); and separating the areas prior to shipment of a package such that the waybill area is located outside (shipping label as shown in fig. 2 is located outside of the package, any other information such as invoice, products are located inside of the shipping

Art Unit: 2625

package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines 34, and col. 20, lines 34-67) the package during the shipment, but no other of said areas is located outside the package during the shipment. See claim 18 for more details.

Regarding claims 50-53, Laurush/Bain further teaches the process of claim 22, wherein the packing is carried out with the waybill component located outside the package during the shipment, but no other of said component is located outside the package during the shipment. (e.g. warehouse packing is not require in the package to be shipped, col. 4, lines 50-60, note: shipping label is taught by Laurush is implemented via using coated adhesive and separated into multiple plies, therefore, any unnecessary plies can be eliminated from shipping to the customers, for example, company's inventory tracking and/or invoice and etc, in other words, senders can choose what documents to be included in the package). Shipping label (Bain) as shown in fig. 2 is located outside of the package, any other information such as invoice, products are locate inside of the shipping package, col. 1, lines 5-18, col. 3, lines 1-36, col. 7, lines 28 to col. 8, lines 34, and col. 20, lines 34-67. It is obvious and well known in the art to only attach the shipping label to the package and not other information (e.g. account information, confidential information, product description, and etc). Doing so, it prevents unauthorized personnel from viewing the description of the product content and/or user's account information, and etc. Bain specifically teaches a method of packing and shipping products according to purchase order transmitted from consumers. However, Bain does not specifically indicate what types of products are being ordered and/or shipped. Packing and shipping products such as flowers are well known in the art, therefore, it would have been obvious to try to use the system and methods as taught by Bain to apply to consumer goods including flowers/chocolate/candies, and et.

Regarding claims 55-61 recite limitations that are similar and in the same scope of invention as to those in claims 22-54 above and/or combination thereof; therefore, claims 55-61 are rejected for the same rejection rationale/basis as described in claims 22-54 above and/or combination thereof.

Art Unit: 2625

***Response to Arguments***

● Applicant's arguments filed 10/4/2010 have been fully considered but they are not persuasive.  
 ---Regarding claims 1-20, 22-61, the applicants argued the cited prior arts of record fail to teach and/or suggest anything regarding a waybill.

In response, the examiner herein fully disagrees. According to figures 2, 42, and 43 of original filed specification which show samples of printed sheet containing plurality of information including waybill, personalized message, delivery by date, courier information, customer information, sender information, and etc. See figures below for more details.

ORDER: Blue Irises [20IRIS ST]  
 Order Nr.: JSCHU8113300 (Sheet 1 of 1)  
 Quantity: 1  
 Order Date: 23-Apr-98  
 Deliver By: 24-Apr-98  
 Ship To: Nicholas Rodgers  
 Proflowers, inc  
 2436 S. Yarrow St  
 Littleton, CO 80123 US  
 Phone 303-555-5555

Fig. 2

Here's some roses for you to enjoy.

Jared Schutz



2  
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FROM  
 Proflowers.com  
 850 Mitten Rd  
 Emeryville CA 94610  
 TO  
 NICHOLAS RODGERS  
 PROFLOWERS, INC.  
 2436 S. YARROW ST.

LITTLETON CO 80123  
 REF JSCHU8113300 (1 of 1)

SHIPPER'S FEDEX ACCOUNT NUMBER  
 PHONE (303)415-9906  
 PHONE (303)555-5555  
 TRK # 7900 7883 4334 PRIORITY OVERNIGHT  
 FORM ID: 0224

00123-CO-US

DEN WN BJC

FedEx

Federal Express

SHIP DATE 24APR98  
 MAN VOT 5 LBS  
 DIMMED 54X8X6

RELEASE#:  
 6208951

FRI  
 AT  
 Deliver by:  
 24APR98





Fig 42

DOM  
TRK# [1 of 1] Order# BJOHN1236000



CALIFORNIA NURSERY STOCK  
CERTIFICATE FOR INTERSTATE AND INTRASTATE  
SHIPMENTS  
NO: A2251001

THIS PLANT MATERIAL OR NURSERY OR PREMISES FROM  
WHICH THIS SHIPMENT WAS MADE HAS BEEN INSPECTED  
AND FOUND FREE FROM ESPECIALLY INJURIOUS PLANT  
PESTS AND DISEASE SYMPTOMS.

THIS SHIPMENT NEED NOT BE HELD FOR INSPECTION IN CA

Issued By: Humboldt County Agricultural and California

Department of Food & AG.

1220 N. Street, Sacramento, Ca 95814

CONTENTS-CUT FLOWERS

BOUQUET MIX

MON

Updated Order



Customer Service  
Proflowers.com  
5005 Wateridge Vista Drive  
Second Floor  
San Diego, Ca 92121  
1.800.776.3559

Ship Date: 2/12/01

**FedEx**

RELEASE #  
5208951

TO: Brad Johnson  
Proflowers  
3975 Gloria Lane  
Carlsbad, CA 92008 US  
858.729.2756

TUE

Deliver By:  
14FEB01

REF: Order# BJOHN1236000

TRK #

FORM ID: 0201

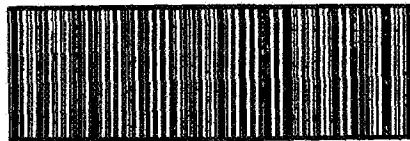
System # 0008564 12FEB01

92008-CA-US

SJC

AA

**A5 MRYA**



ORDER: Christmas Wreath  
Order #: BJOHN1236000 [1 of 1]  
Quantity: 1

Ship Date: 2/12/01  
Ship To: Brad Johnson  
Carlsbad, CA 92008 US

1-800-PROFLOWERS Order: #BJOHN1236000

#BJOHN1236000

Art Unit: 2625

Fig 43

Dear Andrea,  
 Happy Valentine's Day!!!  
 I guess today, as good as any other day, I'm  
 thanking ya for your friendship, you are truly  
 cherished Johnny Korn



ORDER: Blue Irises [20IRIS ST]  
 Accessories: Fine Chocolates  
 Order # ASULT0251000 [1 of 1]  
 Quantity 1  
 Deliver By 2/14/00  
 Ship To Andrea Sultenfuss  
 Florida Fantasies (Can Come True)  
 3910 Irving Street - Harrison Building  
 Rm 0517/Box 0204  
 Philadelphia, PA 19104 US  
 Phone: 215-417-8067



09/776,956, 0203001

DOM  
 TRKA: 472817838535  
 Order #: ASULT0251000  
 [1 of 1]

SHIPPER'S FEDEX ACCOUNT NUMBER



PHONE (519) 454-9850

FedEx

Federal Express

FROM  
 Customer Service  
 PROFLOWERS  
 9130 UPPER BAY ROAD

SHIP DATE 12FEB00  
 CAD #0061276  
 MAN WGT 5 LBS

ARCATA CA 95521

PHONE (215) 417-8067

TO  
 ANDREA SULTENFUSS  
 FLORIDA FANTASIES (CAN COME TRUE)  
 3910 IRVING STREET - HARRISON BUILD  
 RM 0517/BOX 0204  
 PHILADELPHIA PA 19104

PRIORITY OVERNIGHT  
 BILL THIRD PARTY

RELEASE#: 6208951

REF ASULT0251000

DELIVERY ADDRESS  
 TRK # 4729 1793 8535

SPU  
 MON  
 A1

FORM ID 0201  
 19104-PA-US

SF BBXA

Deliver by:  
 14FEB00



Art Unit: 2625

According to [www.dictionary.com](http://www.dictionary.com), waybill is defined as "***a document attached to goods in transit specifying their nature, point of origin, and destination as well as the route to be taken and the rate to be charged***".

Below are the samples of printed sheets from the cited prior arts of record containing waybill information.

U.S. Patent

May 9, 1995

Sheet 1 of 7

5,413,383

FIG 1

FIG 1 is a schematic diagram of a shipping label form 10. The form is divided into several sections. At the top, there are fields for PART NO. (14), QUANTITY (14), and PKG. I.D. (14). Below these are fields for DESCRIPTION (16) and CREDIT CARD/CHECK NO. (18). A central section (26) contains the company name XYZ CO. and a pull tab (40) with the instruction "TO OBTAIN RECEIPT: PULL TAB". To the left of the central section are fields for SHIP TO: (30), SERVICE CODE: (22), and ROUTING CODE: (22). To the right are fields for SHIP DATE (32), CONTACT NO. (24), and P.O. NO. (24). At the bottom right, there is a section (38) with fields for QUANTITY, STORES, LOCATION, and PART NO. The form also includes various other fields like UNIT PRICE >, SALES TAX >, SHIPPING CHG >, and TOTAL >. The form is labeled with 2A and 2B, indicating its dimensions.

Application/Control Number: 09/776,956

Page 20

Art Unit: 2625

Art Unit: 2625



**U.S. Patent**

May 24, 1994

Sheet 2 of 54

**5,315,508**

## FIG-2

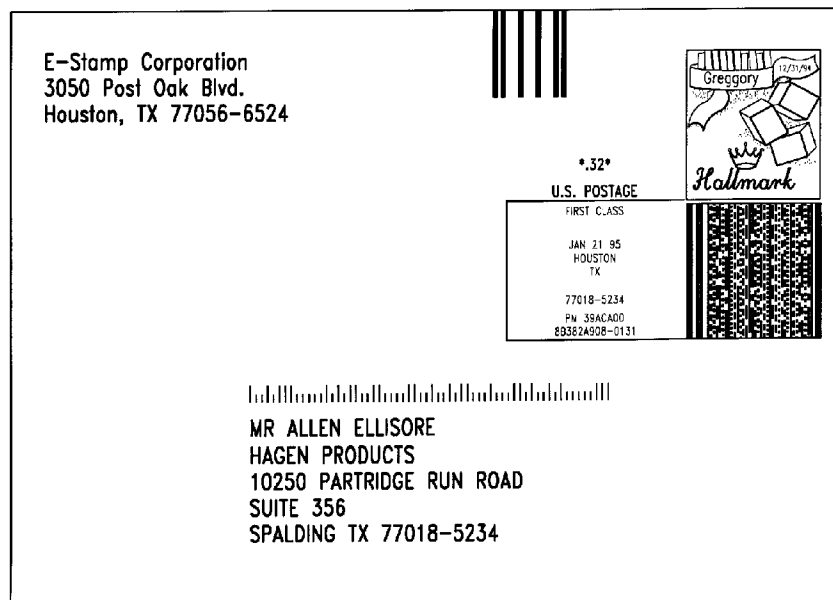
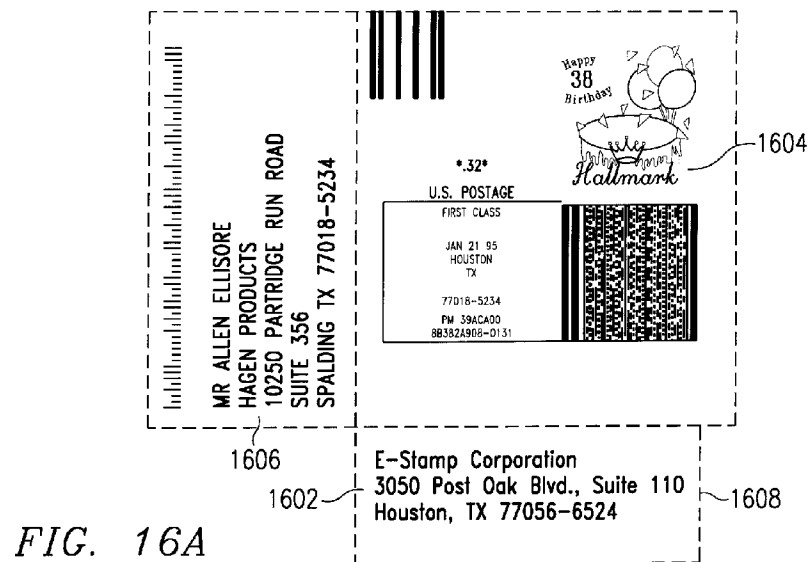
<b>FROM:</b> Monarch Marking Systems SR 725 and Byers Road Miamisburg, OH 45342	
<b>TO:</b> mart Store US 4 And Wern Street Marquet 420 49855 498550100	
	
<b>CARRIER:</b> UPS	
<b>PO#:</b> 453008590 <b>DEPT:068 ORDER TYPE:SA</b>	
00 0 00 12345 000000008 9	
	

U.S. Patent

Mar. 27, 2001

Sheet 16 of 20

US 6,208,980 B1



Art Unit: 2625

Clearly, all these printed sheets contain waybill information. For example, fig. 1 of Laurush contains information relating to *“a document attached to goods in transit specifying their nature, point of origin, and destination as well as the route to be taken and the rate to be charged”*. Fig. 2 of Bain also contains information relating to *“a document attached to goods in transit specifying their nature, point of origin, and destination as well as the route to be taken and the rate to be charged”*. Furthermore, Bain clearly teaches a method and a system for receiving purchase order from consumers and to print such information on a sheet. Figs. 5-7 show a user interface screen that enables users/operators to enter necessary information (sender's address, receiver's address, delivery date, ship date, courier, quantity, product information, and etc) and such information can be printed on a print media at the distribution center or carrier. Specifically on column 7, lines 28 to column 8, lines 35, where Bain clearly teaches a method/system that allows users/operators to print necessary data (e.g. purchase order, point of origin, destination address, delivery date, ship date, quantity, shipping costs, and etc.) that can be easily interpreted by both the carriers and receivers. Furthermore, waybill is commonly known and widely implemented in the shipping industries. Example of waybill is taught by U.S. Patent No. 5040132, US Patent No. 5419591, and US Patent No. 5822716. Printing dates (including customer specified delivery date, shipped date, arrival date, and etc) and personalized message on a shipping label and/or shipping documents are clearly taught in the prior arts. Therefore, it would have been obvious to modify shipping documents (printed format) to include specific dates and personalized message on the conventional waybill.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37



Art Unit: 2625

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THIERRY L. PHAM whose telephone number is (571)272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thierry L Pham/

Primary Examiner, Art Unit 2625

Application/Control Number: 09/776,956

Page 25

Art Unit: 2625